

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION**

406 BOVINE, INC.

Plaintiff,

v.

RICHARD DUMM; JOHN  
BIERWIRTH; and DATAG, INC

Defendants.

CV-24-34-M-DLC

AMENDED ORDER

United States District Judge Dana L. Christensen has referred this case to the undersigned for the purpose of conducting a settlement conference.

Accordingly, **IT IS HEREBY ORDERED:**

1. The undersigned will conduct a settlement conference in this matter at **9:00 a.m. on May 1, 2024, at the Russell Smith Federal Courthouse in Missoula, Montana.** The parties will report to the Clerk of Court's office for the location of the settlement conference.
2. It is the responsibility of counsel to ensure that a person with ultimate

settlement authority attends the settlement conference. Such person may attend the settlement conference remotely if the opposing party consents. Such person must participate in the settlement conference in good faith. L.R. 16.5(b)(4)(A). The failure to participate in good faith may result in the imposition of sanctions against the offending party. L.R. 16.5(b)(4)(B).

3. Each party shall submit a confidential settlement statement to the undersigned on before **12:00 p.m. on April 24, 2024**. The settlement statement should be in letter form and not exceed 10 pages, including attachments. The settlement statement must set forth: 1) a brief factual outline of the case; 2) a brief discussion of any unique legal issues present in the case; 3) a candid discussion of the strengths and weaknesses of your client's position; 4) the history of settlement negotiations; and 5) the name and position of the person(s) who will be attending the settlement conference with ultimate settlement authority. The parties need not repeat matters discussed in their preliminary pretrial statements. The parties shall submit their settlement statements to the undersigned via email addressed to **sara\_luoma@mtd.uscourts.gov**.

4. The settlement statements shall remain confidential. The settlement statements will not be exchanged among the parties, and they will not become part of the formal court record. The Court will destroy the settlement statements after

the settlement conference.

DATED this 18th day of April, 20254.



John Johnston  
United States Magistrate Judge